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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Robert Raymond Miller, II et al.

Docket No.: 2001-0067

Application No.: 09/989779

RECEIVED

Filing Date: 11/20/2001

MAY 07 2003

Examiner Name: Not Yet Assigned

Technology Center 2600

Group Art Unit: 2681

Title: Protocol Assisted Switched Diversity Of Antennas

**THE COMMISSIONER FOR PATENTS
PATENT & TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

SIR:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- 1. This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); within three months of the date of the entry of the national stage as set forth in §1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. No certification or fee is required. (37 C.F.R. §1.97(b)).
- 2. This information disclosure statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under §1.53(d); more than three months after the date of the entry of the national stage as set forth in §1.491 in an international application, after the mailing date of a first Office action on the merits, or after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311 or an action that otherwise closes prosecution in the application. (37 C.F.R. §1.97(c)).

- a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(1)).
- b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(2)).
- c. Please debit Deposit Account No. 01-2745 in the amount of \$180.00 to cover the fee under 37 C.F.R. §1.17(p) and to ensure consideration of the disclosed information.

3. This information disclosure statement is being filed after the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311, or an action which otherwise closes prosecution, whichever occurs first, but on or before payment of the Issue Fee. (37 C.F.R. §1.97(d)).

- a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(1)).
- b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(2)).
- c. Please debit Deposit Account No. 01-2745 in the amount of \$180.00 to cover the fee under 37 C.F.R. §1.17(p) and ensure consideration of the disclosed information.

Respectfully,

Date: 4/25/03

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| TRANSMITTAL O I P FORM <i>(to be used for all correspondence after initial filing)</i> MAY 06 2003 | | Application Number | 09/989779 |
| | | Filing Date | 11/20/2001 |
| | | First Named Inventor | Robert Raymond Miller, II et al. |
| | | Group Art Unit | 2681 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in this Submission | | Attorney Docket Number | 2001-0067 |

Enclosures (check all that apply)

Fee Transmittal Form
 Fee Attached
 Amendment / Response
 After Final
 Affidavits / Declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts under 37 CFR 1.52 or 1.53
 Response to Missing Parts/Incomplete Application

Assignment & Recordation Cover Sheet
 Drawing(s) & Letter to Official Draftsman
 Licensing-related Papers
 Petition to the Commissioner
 Petition to Convert a Provisional Application
 Power of Attorney, Revocation Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund

After Allowance Communication to Group
 Appeal Communications to Board of Appeals and Interferences
 Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
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PTO/SB/08A with 2 references

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: *4/25/03*

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| Signature | <i>Michael A. Catalano</i> | Date | 4/25/03 |

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